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11 eAdGear, Inc., dba www.eadgear.com
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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

eAdGear, Inc., dba www.eadgear.com,) CASE NO. CV-11-05398 RMW (JCS)
Plaintiff,)
Vs.) DEFAULT JUDGMENT AND
Lewis Liu, aka Wei Liu; www.eadgear.ca;) PERMANENT INJUNCTION
www.zeekrewards.com; Xinzhenh Wire)
Mesh Co., Ltd.; and Xinzhenh Companies)
(America), Inc., and DOES 1-10,)
inclusive,)
Defendants.)

Courtroom: 6
Judge: Hon. Ronald M. Whyte
Action Filed: November 7, 2011
Trial Date: None

Plaintiff, eAdGear, Inc., dba www.eadgear.com (hereinafter "Plaintiff" or "eAdGear"), has filed a motion for default judgment against defendant Lewis Liu, aka Wei Liu (hereinafter "Defendant"). It is **HEREBY ORDERED, ADJUDGED AND DECREED** that:

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1 1. Default judgment is entered in favor of Plaintiff and against Defendant for the
2 following claims two claims: (1) false designation of origin under the Lanham Act § 43(a), 15
3 U.S.C. § 1125(a); and (2) cyberpiracy, in violation of the Anticybersquatting Consumer
4 Protection Act, under 15 U.S.C. § 1125(d).

5 2. The Court awards \$100,000 in statutory damages in favor of Plaintiff and
6 against Defendant on the basis of Defendant's cyberpiracy.

7 3. The Court awards \$595 in case costs in favor of Plaintiff and against Defendant.

8 4. IT IS FURTHER ORDERED that the domain name eadgear.ca is transferred
9 and assigned to Plaintiff without further order of the Court.

10 5. IT IS FURTHER ORDERED that a permanent injunction is entered against
11 Defendant as follows:

12
13 Defendant and his officers, directors, employees, attorneys, partners, agents,
14 subsidiaries, successors, assigns, affiliates and any and all persons and entities under
15 Defendant's direction or control, or in active concert or participation with him, are
16 immediately and permanently enjoined and restrained throughout the world from:

17
18 A. Using any reproduction, counterfeit, copy or colorable imitation or
19 designation confusingly similar to the eAdGear Trademarks to identify any
20 goods or the rendering of any services not authorized by Plaintiff;

21
22 B. Engaging in any course of conduct likely to cause confusion, deception or
23 mistake, or to injure Plaintiff's business reputation, or to dilute the distinctive
24 quality of Plaintiff's name and Plaintiff's eAdGear Trademarks;

25
26 C. Using a false description or representation including words or other symbols
27 tending to falsely describe or represent Defendant's unauthorized goods or

1 services as being those of Plaintiff or sponsored by or associated with Plaintiff
2 and from offering such goods or services into commerce;

3
4 D. Using any simulation, reproduction, counterfeit, copy, colorable imitation or
5 confusingly similar or substantially similar designation of the eAdGear
6 Trademarks in connection with the rental, promotion, advertisement, display,
7 sale, offering for sale, manufacture, production, circulation or distribution of any
8 unauthorized products in such fashion as to relate or connect, or tend to relate or
9 connect, such products in any way to Plaintiff, or to any goods or services sold,
10 manufactured, sponsored or approved by, or connected with Plaintiff;

11
12 E. Making any statement or representation whatsoever, or using any false
13 designation of origin or false description, or performing any act, which can or is
14 likely to lead the trade or public; or individual members thereof, to believe that
15 any products manufactured, distributed, sold or rented by Defendant is in any
16 manner associated or connected with Plaintiff, or is sold, manufactured,
17 licensed, sponsored, approved or authorized by Plaintiff;

18
19 F. Dealing in services that constitute infringements of any of the eAdGear
20 Trademarks or that infringe or impair Plaintiff's rights in, or to use or to exploit,
21 said eAdGear Trademarks, or constituting any dilution of Plaintiff's name,
22 reputation or goodwill;

23
24 G. Effecting assignments or transfers, forming new entities or associations or
25 utilizing any other device for the purpose of circumventing or otherwise
26 avoiding the prohibitions set forth in sub-paragraphs "A" through "F", above,
27 including without limitation assisting, aiding or abetting any other person or
28 business entity to engage in or perform any of the above described acts.

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2 6. The jurisdiction of this Court is retained for the purpose of making any further
3 orders necessary or proper for the construction or modification of this Judgment, the
4 enforcement thereof and the punishment of any violations thereof.

5 7. The Court expressly determines that there is no just reason for delay in entering
6 this Judgment, and pursuant to Rule 54(a) of the Federal Rules of Civil Procedure, the Court
7 directs entry of judgment against Defendants, which shall be a final and binding order and
8 resolve this action.

IT IS SO ORDERED

4 DATED: 9/12/12

By: Ronald M. Whyte
HON. RONALD M. WHYTE
United States District Judge